\*\* NOTICE: This is only a preliminary draft of the City-County Council agenda prepared by the Council staff pursuant to Sec. 161-5(b) and may not be complete. The President of the Council has not determined the order of business for this meeting pursuant to Sec. 151-71. The agenda will be final only when approved by the Council at the meeting.

# **AGENDA**

# CITY COUNTY COUNCIL

# AND THE

# INDIANAPOLIS POLICE, FIRE, AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS

July 17, 2006

7:00 P.M.

- I. PRAYER AND PLEDGE OF ALLEGIANCE Councillor Franklin
- II. ROLL CALL
- III. INTRODUCTION OF GUESTS AND VISITORS
- IV. OFFICIAL COMMUNICATIONS
- V. ADOPTION OF AGENDA
- VI. APPROVAL OF JOURNAL June 19, 2006
- VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 372, 2006 (Special Resolution)

INTRODUCED: 06/19/2006 BY: Councillor Randolph

REFERRED TO: Committee of the Whole

DIGEST: recognizes Youth Hoops of Indianapolis for its many accomplishments and

contributions to the community

COUNCIL ACTION:

06/19/2006 Postpone until 7/17/2006

PROPOSAL NO. 400, 2006 (Special Resolution)

INTRODUCED: 07/17/2006 BY: Councillors Nytes, Mansfield, Abduallah, Mahern, Salisbury,

Gibson, Talley, Pfisterer, Borst, Keller, Sanders, Boyd and Conley

REFERRED TO: Committee of the Whole

DIGEST: recognizes the delegation of mayors from Israel and the Palestinian Authority

participating in the International Visitor Leadership Program

# VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 401, 2006 (Council Resolution)

INTRODUCED: 07/17/2006 BY: Councillor Randolph

REFERRED TO: Committee of the Whole

DIGEST: recognizes August "Max" Metzler of Metzler Plumbing for 60 years of business in

Pike Township

PROPOSAL NO. 402, 2006 (Special Resolution)

INTRODUCED: 07/17/2006 BY: Councillor Randolph

REFERRED TO: Committee of the Whole

DIGEST: recognizes Cordelia Lewis-Burks on her commitment to provide leadership and

dignity for working families in the struggle for equality and justice through the vote

PROPOSAL NO. 403, 2006 (Council Resolution)

INTRODUCED: 07/17/2006 BY: Councillors Boyd, Borst, Nytes, Sanders, Conley, and Gibson

REFERRED TO: Committee of the Whole

DIGEST: urges the principal participants success in discussions aimed at keeping the United

States Grand Prix international sports event in central Indiana

PROPOSAL NO. 404, 2006 (Council Resolution)

INTRODUCED: 07/17/2006 BY: Councillor Plowman

REFERRED TO: Committee of the Whole

DIGEST: urges the Judiciary Committee of the United States Senate to conduct hearings on

the interchange fees charged on credit card and other electronic transactions

PROPOSAL NO. 366, 2006 (Council Resolution)

INTRODUCED: 06/19/2006 BY: Councillors Gray, Conley, Brown, Moriarty Adams and Oliver

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints C.L. Day to the Marion County Juvenile Detention Center Advisory Board

COMMITTEE ACTION: 06/21/2006 Do Pass 7-0

PROPOSAL NO. 367, 2006 (Council Resolution)

INTRODUCED: 06/19/2006 BY: Councillors Gray, Conley, Brown and Moriarty Adams

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: reppoints D. Michael Wallman, as a lay person, to the Marion County Community

Corrections Advisory Board

COMMITTEE ACTION:

06/21/2006 Do Pass 7-0

PROPOSAL NO. 368, 2006 (Council Resolution)

INTRODUCED: 06/19/2006 BY: Councillors Gray and Conley

REFERRED TO: Public Works Committee

DIGEST: reappoints Kathryn Rietmann to the Wellfield Education Corporation Board

COMMITTEE ACTION: 06/29/2006 Strike 9-0

#### VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 386, 2006 (Council Resolution)

INTRODUCED: 07/17/2006 BY: Councillors Conley and Gray

REFERRED TO: Administration and Finance Committee

DIGEST: appoints Brenda Rising-Moore to the City-County Administrative Board

PROPOSAL NO. 387, 2006 (Council Resolution)

INTRODUCED: 07/17/2006 BY: Councillors Conley, Brown, Gray, Abduallah, Oliver, Moriarty

Adams, Bowes, Mansfield and Franklin

REFERRED TO: Administration and Finance Committee

DIGEST: approves the Mayor's appointment of Sherlonda Anderson as the Director of the

Department of Administration and Equal Opportunity

PROPOSAL NO. 388, 2006 (Council Resolution)

INTRODUCED: 07/17/2006 BY: Councillors Moriarty Adams and Conley

REFERRED TO: Administration and Finance Committee

DIGEST: approves the Mayor's appointment of Katherine E. Aeschliman as hearing officer to

preside over the administrative adjudication of parking citations

PROPOSAL NO. 389, 2006 (Special Ordinance)

INTRODUCED: 07/17/2006 BY: Councillors Sanders, Conley, Nytes, Moriarty Adams and

Keller

REFERRED TO: Administration and Finance Committee

DIGEST: authorizes the issuance and sale of one or more series of notes to procure funds to provide for the purchase or lease of certain equipment, vehicles and related capital items and

appropriates such sum, not to exceed \$12,250,000

PROPOSAL NO. 390, 2006 (General Resolution)

INTRODUCED: 07/17/2006 BY: Councillors Sanders, Nytes, Oliver, Mahern and Keller

REFERRED TO: Administration and Finance Committee

DIGEST: approves the issuance of limited recourse notes of the Redevelopment District for the purpose of paying the cost of redevelopment, including the construction of certain public

infrastructure improvements, in the Near Eastside Redevelopment Area

PROPOSAL NO. 391, 2006 (General Resolution)

INTRODUCED: 07/17/2006 BY: Councillors Sanders, Nytes, Abduallah, Mahern and Keller

REFERRED TO: Administration and Finance Committee

DIGEST: approves the issuance of special taxing district bonds, notes or other obligations of the Redevelopment District payable from taxes on real property and certain personal property of designated taxpayers located in the Consolidated/Harding Street Redevelopment Allocation Area and from other revenues of the Metropolitan Development Commission, acting as the

Redevelopment Commission, in order to fund capital improvements at the downtown canal

PROPOSAL NO. 392, 2006 (Council Resolution)

INTRODUCED: 07/17/2006 BY: Councillors Conley, Gray, Brown, Abduallah, Bowes, Moriarty

Adams, Oliver, Mansfield and Franklin

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves the Mayor's appointment of Earl S. Morgan, Sr. as the Director of the

Department of Public Safety

#### VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 393, 2006 (Council Resolution)

INTRODUCED: 07/17/2006 BY: Councillors Gray, Conley and Brown

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints Judith Hawley Conley to the Juvenile Detention Advisory Board

PROPOSAL NO. 394, 2006 (General Resolution)

INTRODUCED: 07/17/2006 BY: Councillors Brown, Gray, McWhirter, Moriarty Adams and

Sanders

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves the issuance of one or more series of bonds and notes in an amount not to exceed \$45 million to finance the MECA communications system upgrade and other projects

PROPOSAL NO. 395, 2006 (General Resolution)

INTRODUCED: 07/17/2006 BY: Councillors Moriarty Adams and Conley

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves a third amendment to the Marion County Sheriff's Department Personnel

Retirement Plan

PROPOSAL NO. 396, 2006 (Fiscal Ordinance)

INTRODUCED: 07/17/2006 BY: Councillors Moriarty Adams and McWhirter

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves an increase of \$815.988 in the 2006 Budget of the Department of Public Safety, Director's Office (Non-Lapsing Federal Grants Fund) to support the Indiana Intelligence Fusion Center, a facility that serves as a link between federal, state and local law enforcement agencies in support of homeland security and counter-terrorism, financed by a federal grant

PROPOSAL NO. 397, 2006 (Fiscal Ordinance)

INTRODUCED: 07/17/2006 BY: Councillors Moriarty Adams and McWhirter

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves an increase of \$2,002,973 in the 2006 Budget of the Department of Public Safety, Police Division (Federal Grant and Non-Lapsing Federal Grant Funds) to enhance community policing efforts through technology improvements, investigative equipment, Weed & Seed for the West Side and Martindale Brightwood; Gang Resistance Education and Training within Marion County Schools: Community Prosecution and partnerships with the Indiana Coalition Against Sexual Assault and The Julian Center, all financed by federal grants

PROPOSAL NO. 398, 2006 (Fiscal Ordinance)

INTRODUCED: 07/17/2006 BY: Councillor Borst

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves an appropriation of \$1,574,000 in the 2006 Budget of the Marion County Sheriff (Consolidated County Fund) to fund rental of additional jail beds under contracts with the Department of Corrections

PROPOSAL NO. 399, 2006 (Council Resolution)

INTRODUCED: 07/17/2006 BY: Councillors Conley, Brown, Sanders, Gibson and Boyd

REFERRED TO: Public Works Committee

DIGEST: appoints David Woodruff, a neighborhood organization representative, to the Wellfield

**Education Corporation Board** 

#### VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 405, 2006 (Council Resolution) INTRODUCED: 07/17/2006 BY: Councillor Borst

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints James Bradford to the Juvenile Detention Advisory Board

#### IX. SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 406-408, 2006 (Rezoning Ordinances) INTRODUCED: 07/17/2006 BY: Councillor Mahern

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinances certified by the Metropolitan Development Commission on June

26, 2006

PROPOSAL NO. 409, 2006 (Rezoning Ordinance)
INTRODUCED: 07/17/2006 BY: Councillor Mahern

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinance certified by the Metropolitan Development Commission on June

30, 2006

PROPOSAL NO. 410, 2006 (Rezoning Ordinance) INTRODUCED: 07/17/2006 BY: Councillor Mahern

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinance certified by the Metropolitan Development Commission on July 5,

2006

PROPOSAL NO. 411, 2006 (Rezoning Ordinance) INTRODUCED: 07/17/2006 BY: Councillor Mahern

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinance certified by the Metropolitan Development Commission on July 6,

2006

PROPOSAL NOS. 412-418, 2006 (Rezoning Ordinances)

INTRODUCED: 07/17/2006 BY: Councillor Mahern

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinances certified by the Metropolitan Development Commission on July

6.2006

PROPOSAL NOS. 419-420, 2006 (Rezoning Ordinances)

INTRODUCED: 07/17/2006 BY: Councillor Mahern

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinances certified by the Metropolitan Development Commission on July

7, 2006

PROPOSAL NO. 421, 2006 (Rezoning Ordinance)

INTRODUCED: 07/17/2006 BY: Councillor Mahern

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinance certified by the Metropolitan Development Commission on June

26, 2006

### X. SPECIAL ORDERS - PUBLIC HEARING

#### XI. SPECIAL ORDERS - UNFINISHED BUSINESS

#### XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 363, 2006 (General Ordinance)

INTRODUCED: 06/19/2006 BY: Councillors Sanders, Conley, Brown, Gray and Nytes

REFERRED TO: Administration and Finance Committee

DIGEST: enables the Controller to reserve a percentage of county agency funding out of the

County General Fund COMMITTEE ACTION:

06/27/2006 Do Pass As Amended 3-2

PROPOSAL NO. 369, 2006 (General Ordinance)

INTRODUCED: 06/19/2006 BY: Councillors Brown, Sanders, Gray, Conley, Langsford, Keller,

Mansfield, Talley, Franklin and Moriarty Adams

REFERRED TO: Rules and Public Policy Committee

DIGEST: approves the consolidation of the Washington Township Fire Department into the

Indianapolis Fire Department on the effective date of January 1, 2007

COMMITTEE ACTION: 06/20/2006 Postpone 7-0

06/29/2006 Do Pass 5-2

#### XIII. SPECIAL SERVICE DISTRICT COUNCILS

#### **XIV. NEW BUSINESS**

# XV. ANNOUNCEMENTS AND ADJOURNMENT

The President The docketed agenda for this meeting of Council having been completed,

the Chair will now entertain motions for adjournment.

President's Designee Mr. President.

The President The Chair recognizes Councillor Borst.

The Councillor Mr. President, I have been asked to offer the following motion for

adjournment:

By All Councillors in memory of Rollen Brandt.

By Councillors Mansfield and Langsford in memory of Chief Warrant

Officer William Timothy Flanigan.

By Councillors Mansfield and Bowes in memory of Rosie Felton.

By Councillor Mansfield in memory of Staff Sgt. Benjamin D. Williams.

By Councillor Nytes in memory of Linda Smalling and Michael Nolting.

By Councillors Day and Randolph in memory of Frank Donley.

By Councillor Randolph in memory of Joseph Albert Williams, Rev. Hallie Black, Launa Udan, Obie Pennyman, Thomas J. "TJ" Edmond, and Mpozi Tolbert.

By Councillor Pfisterer in memory of Lynn Clark, Sr., Harold Gore, Bernice Abbott, Louis Manfuso, Ernest Eppen, Claudia Tharp Totten, Edward R. Johnson, Philip Persi, Margaret Warmoth, Geno Floreancig, Richard Glenn Wiles and Mildred Cunningham

By Councillor Oliver in memory of W. Rondal "WR" Justice, Elizabeth A. "Ann" Thomas Rasdell, Dwayne Young, Doris Brewster House, Algean S. Dobbins, Julius B. Dobbins, and Arthur Lee "Art" Shead.

By Councillor Brown in memory of William "Billy" Romeril.

By Councillor Borst in memory of Judge John M. "Jack" Ryan.

Mr. President, I would like to move the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of those persons I have here specifically named. I respectfully ask the support of fellow Councillors. I further request that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family of each person advising of this action.

The President

Thank you, Councillor Borst. Hearing no objections, the motion is received and the requests are so ordered.

Hearing no further motions, we are adjourned.

#### XVI. PENDING PROPOSALS

PROPOSAL NO. 437, 2005 (General Ordinance)

INTRODUCED: 08/29/2005 BY: Councillors Gray and Brown

REFERRED TO: Metropolitan Development Committee

DIGEST: requires project sponsors who receive Federal entitlement funds distributed by the Department of Metropolitan Development employ at least ten (10) persons on any such project so funded from the service district of the sponsor

**COMMITTEE ACTION:** 

09/01/2005 Postpone until 9/12/2005 5-0 12/05/2005 Postpone until 1/4/2006 5-0 01/04/2006 Postpone until 1/18/2006 6-0 01/18/2006 Postpone until 2/6/2006 5-0 02/06/2006 Held for Further Study 6-0

PROPOSAL NO. 492, 2005 (General Ordinance) INTRODUCED: 09/19/2005 BY: Councillor Plowman

REFERRED TO: Public Works Committee

DIGEST: authorizes speed limit reductions throughout the Smithfield subdivision (District 25) COMMITTEE ACTION:

10/20/2005 Postpone until 11/10/2005 8-0

11/10/2005 Postpone until 02/23/2006 6-0

02/23/2006 Tabled 9-0

06/29/2006 Postpone until 7/27/2006 9-0

PROPOSAL NO. 152, 2006 (Council Resolution) INTRODUCED: 03/06/2006 BY: Councillor Gray

REFERRED TO: Rules and Public Policy Committee

DIGEST: appoints Gary R. Green to the Common Construction Wage Committee for Franklin

Township

**COMMITTEE ACTION:** 

03/07/2006 Postpone until 3/28/2006 6-0

03/28/2006 Postpone 7-0

04/18/2006 Postpone until 5/16/2006 7-0

05/16/2006 Postpone until 6/6/2006 7-0

06/06/2006 Tabled 8-0

PROPOSAL NO. 164, 2006 (General Resolution)

INTRODUCED: 03/06/2006 BY: Councillor Boyd

REFERRED TO: Administration and Finance Committee

DIGEST: authorizes the Marion County Board Of Commissioners to dispose of certain real property commonly referred to as "the Kitley property" and "the 3252 Sutherland property", and that the Marion County Treasurer be designated as the acting disposing agent on the behalf of the Commissioners for the transaction described

COMMITTEE ACTION:

03/21/2006 Do Pass As Amended 5-0

COUNCIL ACTION:

03/27/2006 Returned to Committee

COMMITTEE ACTION:

04/04/2006 Postpone until 5/23/2006 4-0

05/23/2006 Tabled 5-0

PROPOSAL NO. 165, 2006 (Special Resolution)

INTRODUCED: 03/27/2006 BY: Councillor Nytes REFERRED TO: Economic Development Committee

DIGEST: an inducement resolution for Camby Woods, L.P. in an amount not to exceed

\$14,000,000 which consists of the construction of a 220-unit apartment complex to be known as

Camby Woods Apartments located at 7700 Camby Road (District 22)

**COMMITTEE ACTION:** 

03/22/2006 Do Pass 6-0

COUNCIL ACTION:

03/27/2006 Returned to Committee

COMMITTEE ACTION:

04/12/2006 Do Pass 4-3

COUNCIL ACTION:

05/15/2006 Indecisive Vote

06/05/2006 Indecisive Vote

06/05/2006 Returned to Committee

PROPOSAL NO. 170, 2006 (General Ordinance) INTRODUCED: 03/27/2006 BY: Councillor Borst

REFERRED TO: Law Enforcement Consolidation Committee

DIGEST: an amendment to General Ordinance No. 110, 2005 establishing a consolidated law

enforcement agency allowing the Minority Leader to appoint a designee to serve on the

Advisory Committee COMMITTEE ACTION: 04/26/2006 Do Pass 7-0 COUNCIL ACTION:

05/15/2006 Returned to Committee

COMMITTEE ACTION: 06/28/2006 Tabled 4-3

PROPOSAL NO. 200, 2006 (Council Resolution)

INTRODUCED: 03/27/2006 BY: Councillors Gray and Conley

REFERRED TO: Public Works Committee

DIGEST: reappoints Herb Bazemore to the Marion County Stormwater Management Technical

Advisory Committee COMMITTEE ACTION:

04/06/2006 Postpone until 4/27/2006 7-0 06/15/2006 Postpone until 6/29/2006 7-0 06/29/2006 Postpone until 7/27/2006 9-0

PROPOSAL NO. 261, 2006 (Special Resolution)

INTRODUCED: 04/17/2006 BY: Councillors Randolph, Franklin and Schneider

REFERRED TO: Rules and Public Policy Committee

DIGEST: permits the Chairman of the Municipal Corporations Committee to strongly encourage binding arbitration for all parties involved in the Indianapolis Marion County Public Library (IMCPL) legal dispute and authorizes a study to be conducted by a qualified, outside non-partisan organization to explore the financial impact of binding arbitrations as well as an appropriate form of public/private partnership as a viable alternative to an increase in property tax

COMMITTEE ACTION:

05/16/2006 Postpone until 7/18/2006 6-1

PROPOSAL NO. 278, 2006 (General Ordinance)

INTRODUCED: 05/15/2006 BY: Councillor Franklin

REFERRED TO: Law Enforcement Consolidation Committee

DIGEST: amends the Code to extend the date on which the metropolitan law enforcement agency shall provide law enforcement services for the consolidated city from January 1, 2007 through and including January 1, 2008

COMMITTEE ACTION:

06/28/2006 Tabled 4-3

PROPOSAL NO. 279, 2006 (General Ordinance)

INTRODUCED: 05/15/2006 BY: Councillors Franklin and Randolph

REFERRED TO: Law Enforcement Consolidation Committee

DIGEST: amends the Code to provide for pay parity on the effective date of the Metropolitan Law Enforcement Agency pursuant to City-County General Ordinance No. 110, 2005 (Proposal No. 627, 2005)

COMMITTEE ACTION: 06/28/2006 Tabled 4-3

PROPOSAL NO. 290, 2006 (General Ordinance)

INTRODUCED: 05/15/2006 BY: Councillor Franklin REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Code to eliminate the Department of Public Safety and to transfer the functions of the said department and its director to the Office of the Public Safety Advisor and public safety advisor.

public safety advisor COMMITTEE ACTION: 06/06/2006 Tabled 7-0

PROPOSAL NO. 338, 2006 (Fiscal Ordinance)

INTRODUCED: 06/05/2006 BY: Councillor Moriarty Adams REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves a transfer of \$125,000 in the 2006 Budget of the Marion County Public Defender Agency (County General Fund) to allow the agency to hire four (4) full time attorneys to work on cases involving termination of parental rights (TPR) and children in need of services (CHINS)

**COMMITTEE ACTION:** 

06/07/2006 Postpone until 6/21/2006 6-0 06/21/2006 Postpone until 7/19/2006 7-0

PROPOSAL NO. 345, 2006 (General Ordinance)

INTRODUCED: 06/05/2006 BY: Councillor Salisbury

REFERRED TO: Public Works Committee

DIGEST: amends the Revised Code, traffic operating restrictions, to regulate the use of any engine, compression, dynamic braking device, or mechanical exhaust device (often times referred to as a "Jake brake" or "iake braking")

COMMITTEE ACTION:

06/15/2006 Postponed until 6/29/2006 6-0 06/29/2006 Held for Further Study 9-0

PROPOSAL NO. 350, 2006 (General Ordinance)

INTRODUCED: 06/05/2006 BY: Councillor Moriarty Adams

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Code regarding dealers in secondhand goods to include regulation of the

sale of salvage or scrap metal

PROPOSAL NO. 364, 2006 (Council Resolution) INTRODUCED: 06/19/2006 BY: Councillor Gray

REFERRED TO: Metropolitan Development Committee

DIGEST: reappoints Amy Marks Callahan to the Indianapolis Air Pollution Control Board

PROPOSAL NO. 365, 2006 (Council Resolution)

INTRODUCED: 06/19/2006 BY: Councillors Brown and Gray

REFERRED TO: Parks and Recreation Committee

DIGEST: appoints Steve Rudner to the Indianapolis Greenways Development Committee

PROPOSAL NO. 370, 2006 (General Ordinance)

INTRODUCED: 06/19/2006 BY: Councillors Franklin, Boyd, Randolph

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends Chapter 531, Animals, of the Revised Code of the Consolidated City and

County

COMMITTEE ACTION: 06/20/2006 Postpone 7-0

06/29/2006 Postpone until 7/18/2006 7-0